DOCKET NO.: ISIS-5138   PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Stanley T. Crooke, Walter F. Lima,

Hongjiang Wu   Confirmation No.: 1016

Application No.: 10/616,009   Group Art Unit: 1635

Filing Date: July 8, 2003   Examiner: Not Yet Assigned

For: Human RNase H1 And Oligonucleotide Compositions Thereof

Mail Stop Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURE

In response to the "Notice to Comply With Requirements for Patent Applications

Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" dated **July 25,**

2005, a response to which is due **August 25, 2005,** enclosed herewith is:

    ☒   Statement to Support Filing and Submission in Accordance with 37 CFR §§1.821 through 1.825;

    ☒   Substitute pages of the Sequence Listing;

    ☒   Substitute copy of the computer readable form of amended Sequence Listing;

☒   Amendment Directing Entry of Sequence Listing into Specification is attached

☒   Copy of Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;

☒   Other: **Five sheets of Replacement Drawings for Figures 2, 3, 4, 5, and 6.**

☐   Request is hereby made under 37 CFR § 1.136(a) to extend the time for response to the Notice to File Missing Parts of Application of   to and through   , comprising an extension of the shortened period of months:

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
☐ ONE MONTH EXTENSION OF TIME	$60	$	$120	$
☐ TWO MONTH EXTENSION OF TIME	$225	$	$450	$
☐ THREE MONTH EXTENSION OF TIME	$510	$	$1020	$
☐ FOUR MONTH EXTENSION OF TIM	$795	$	$1590	$
☐ FIVE MONTH EXTENSION OF TIME	$1080	$	$2160	$
TOTAL FEE DUE		$0		$0

Applicant(s) has/have not been notified that the requested extension will not be permitted. The present application is not involved in an interference declared pursuant to 37 CFR § 1.207.

Total fee required **$ .00**
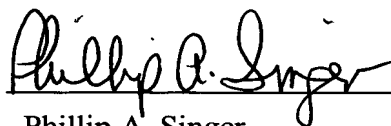
☐ The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of the fees associated with this communication to Deposit Account No. 23-3050.
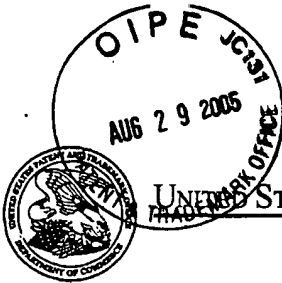

Date: *August 24, 2005*

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UNITED STATES PATENT AND TRADEMARK OFFICE ‾JWC/JL/PAS ⟨ABC⟩

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,009	07/08/2003	Stanley T. Crooke	ISIS-5138	1016

32650	7590	07/25/2005	

WOODCOCK WASHBURN LLP
ONE LIBERTY PLACE - 46TH FLOOR
PHILADELPHIA, PA 19103

EXAMINER
WOLLENBERGER, LOUIS V

ART UNIT	PAPER NUMBER
1635	

DATE MAILED: 07/25/2005

RECEIVED

JUL 2 8 2005

Woodcock Washburn

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
10/616,009	7/8/2003	Crooke et al.	ISIS-5138

EXAMINER
Louis V. Wollenberger

ART UNIT	PAPER
1635	

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.
Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR §§ 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

APPLICANT IS GIVEN A **ONE MONTH** EXTENDABLE PERIOD WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR §§ 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR §1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Applicant is requested to return a copy of the attached Notice to comply with the response.

HOW TO SEND SEQUENCES TO THE USPTO
Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:
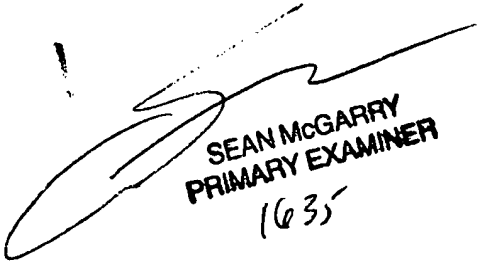(The addresses below are effective 5 June 2004.)

1. Electronically submitted through EFS-Bio
(<http://www.uspto.gov/ebc/efs/downloads/documents.htm>, EFS Submission User Manual - ePAVE)

2. Mailed to:
Mail Stop Sequence
Commissioner for Patents
P.O. Box 22313-1450
Alexandria, VA 22313-1450

3. Hand Carry, Federal Express, United Parcel Service or other delivery service to:
U.S. Patent and Trademark Office
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Randolph Building
401 Dulaney Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Louis V. Wollenberger whose telephone number is 571-272-8144. The examiner can normally be reached on Mon–Fri, 8:00 am–4:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, Andrew Wang can be reached on 571-272-0811. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval system (PAIR). Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public. For more information about the PAIR system, see http://pair-direct.uspto.gov. For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199.

Louis V. Wollenberger, Ph.D.
Examiner
Art Unit 1635

SEAN McGARRY
PRIMARY EXAMINER
1635

PTO-90C (Rev.3-98)

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set in the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).

☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).

☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).

☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."

☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).

☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

☒ 7. Other: The above identified application discloses several nucleotide sequences, but no paper copy or CRF copy of the sequence listing has been provided. 37 CFR 1.821(c) requires that each sequence disclosed in the application appear separately in the "sequence listing," with each sequence further being assigned a sequence identification number, referred to as "SEQ ID NO."

Applicant Must Provide:

☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".

☒ An initial or substitute paper copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.**

☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-2510
For CRF Submission Help, call (571) 272-2501/2583.
PatentIn Software Program Support
    Technical Assistance.......................................703-287-0200
    To Purchase PatentIn Software.......................703-306-2600

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BEST AVAILABLE COPY